

The fastest growing opportunities for American businesses, farms, and ranches are outside of our borders. Our greatest opportunities are overseas in rapidly developing countries. I fear that these long delays have hurt our ability, the ability of our government to negotiate high-quality trade agreements. But, most importantly, it has hurt the ability of Americans to compete in these growing marketplaces.

Let's not pretend this delay has not cost American workers. Since the Colombia agreement was initially signed all those days ago, our businesses and our agricultural producers have paid nearly \$3.5 billion in tariffs for goods exported. That is enormous, especially when we consider that the U.S. International Trade Commission estimates that an American job is supported for every \$166,000 in exports.

Instead of wasting money on tariff payments, the U.S. manufacturing and agricultural sectors could have spent billions of dollars creating jobs at home.

I hope we can soon get past the continued delays and the administration can signal to us that they are serious about doubling exports in 5 years.

On July 1, less than 2 months away from now, the trade agreement between the European Union and South Korea goes into effect. It is also the date that the FTA between Canada and Colombia goes into effect. The negotiators for other countries are watching the United States, and they have seen a lack of trade policy. They have seen a change here, and they are doing everything they can to fill that vacuum with negotiated and approved agreements. Now our exporters will face even greater competition when our trade agreements are approved, and hopefully they will be.

The President said it very well in his State of the Union Address:

If America sits on the sidelines while other nations sign trade agreements, we will lose the chance to create jobs on our shores.

That is exactly what is happening. I will give one example. In 2007 American wheat farmers supplied Colombia with almost 70 percent of the wheat market, even though they faced tariffs of 10 to 35 percent. By 2010 our wheat farmers' share of the market had dropped to 46 percent. Where did that business go?

Meanwhile, Canada's share grew from 24 to 33 percent. That percentage will skyrocket when Canadian farmers can export their products duty free on July 1. Our wheat farmers may effectively be shut out of a market that they dominated at one point in time.

Americans who are out of work know firsthand that an opportunity is being missed. Nebraska farmers, businesses, workers, those across the country know we can compete with anyone given a level playing field. After the absence of leadership on trade in Washington during the last 2 years, though, the job of competing is harder and harder.

In proclaiming this week as World Trade Week, the President noted the connection between the global economy and prosperity in our own country. "To ensure our success," he called for "a robust, forward-looking trade agenda that emphasizes exports and domestic job growth." It is disappointing that the positive steps forward we have seen over the past few months have slowed in recent days, and we just cannot afford more setbacks.

I look forward to working with the administration over the next 2 years on forward-looking trade efforts. Real progress forward would produce great opportunity in our country, but we have to get this work done first. Therefore, it is my hope that the President will bring to us, without delay, the Korea, Panama, and Colombia Trade Agreements for us to vote yes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

FREE-TRADE AGREEMENTS

Mr. BROWN of Ohio. Mr. President, I appreciate the words of the Senator from Nebraska about these trade agreements. I take them at face value. I know he means well. I know he believes these trade agreements help the American people.

I also know every time there is a major trade agreement in front of this Congress—the Presiding Officer's first one, I believe, and mine, was something called the North American Free Trade Agreement. They promised and promised, saying there would be all kinds of jobs and our trade surplus would grow; that it would be not just more jobs but better paying jobs. It did not quite work out that way with NAFTA.

Then they did the same kind of promise and overpromise with PNTR, normal trade relations with China. In Mexico with NAFTA we had a trade surplus not too many years before NAFTA was signed, and it turned into a multibillion-dollar trade deficit.

With China we had a small trade deficit. A deficit in trade means we buy more from that country than we sell to that country. President Bush said a \$1 billion trade surplus or deficit turns into—he had different estimates, but between 13,000 and 19,000 jobs is what he used to say. Whether or not that is precise is a bit beside the point. The point is, if we are selling a lot more than we are buying, it is going to create jobs in our country. If we are buying a lot more than we are selling, we are going to lose manufacturing jobs.

We went to literally hundreds of billions of dollars in trade deficit with China after PNTR. If we go into any

store in the country we see the number of products made in China that used to be made in Vermont or Ohio or Michigan or Pennsylvania or Mississippi or wherever. So we know with these trade agreements, every time they come to the floor the promise is they are going to create jobs for Americans. They did it with NAFTA. They did it with PNTR with China. They did it with the Central American Free Trade Agreement. Now they are saying the same thing with South Korea, Panama, and Colombia, that it is going to create American jobs. Well, it doesn't ever. Maybe the theory is good. I don't think the theory is very good, but maybe it is, but it doesn't seem to work out that way.

I urge my colleagues to listen to what these supporters of trade agreements say, to be sure; trust but verify. Ask the tough questions: Why is this going to create more jobs? We know the cost of the South Korea trade agreement is literally \$7 billion. It is going to cost us a lot of money. They are not paying for it. These fiscal conservatives here don't want to take away the subsidies from the oil industry. They also don't want to pay for the trade agreement that is going to cost us \$7 billion, plus the lost jobs that come about as a result.

We know what these lost jobs mean to Mansfield, OH. We know what they mean to Sandusky and Chillicothe and Cleveland and Dayton, proud cities with a proud middle class that have seen these manufacturing jobs so often go straight to Mexico, go straight to China, go straight to countries all over the world after we sign these trade agreements or after we change these rules about trade.

At a minimum, I have asked the President of the United States by letter, with 35 or so Senators who also signed this letter—and we will release it and send it to the President tomorrow—underscoring the President's commitment and the commitment of the U.S. Trade Representative, Ambassador Kirk, and the President's economic adviser, Gene Sperling, who said they will not send these free trade agreements to the Congress until the President has had an opportunity to sign trade adjustment assistance.

Trade adjustment assistance simply says when you lose your job because of a trade agreement, you at least are eligible for assistance for job retraining. To me, the problem is the trade agreements and they are costing us jobs. But at a minimum, the great majority of Democratic Senators here understands, along with the President, that we don't pass these trade agreements without helping these workers who are going to lose their jobs.

To me, it is a little bit counterintuitive: Why pass these trade agreements at all if we expect job loss to come from them. But the other side of the argument is that jobs will increase overall, although it doesn't seem to work that way. But everybody knows some people are going to lose jobs as a

result of these trade agreements. That is a bit of circular thinking that I don't particularly buy. But at a minimum, because so often when these trade agreements pass, conservative Republican—sort of pro corporate interest—Senators, will say, Well, we want to take care of these workers and let's pass a trade agreement, and then they don't get around to taking care of the workers. That is why we have to do trade adjustment assistance first and to begin to enforce these trade rules.

We saw in Ohio alone in the last 3 or 4 years, because we enforced some trade rules—because the President of the United States, President Obama, and the Commerce Department and the International Trade Commission stood up and enforced trade rules on China's gaming the system on tires, on oil country tubular steel, and less so, but on coded paper—we have seen jobs in the United States come back because we are leveling the playing field so they can't game the system as much.

That is why it is important that we take care of workers before these trade agreements come to the Congress and then we will debate trade agreements. I hope we can defeat them—I think it is going to be hard—and we make sure we do the enforcement of these trade rules that are now in existence that are now part of the law and get that in place and strengthen that before we pass these trade agreements.

It is a pretty simple thing to do, but it is important. In one of the trade agreements the Senator from Nebraska mentioned, he was talking about the Colombia Free Trade Agreement. I could speak on each of the three to the point of perhaps boring some of my colleagues. But on the one trade agreement that is particularly egregious with the country of Colombia, just last year, 50 trade unionists, 50 labor activists in Colombia were murdered—50 murders. They are saying, the supporters of these trade agreements say yes, but they are getting better in Colombia and fewer trade activists are getting murdered so it is getting better.

Not that long ago, a labor rights lawyer was shot. He did not die. He survived, was injured badly. There is something a bit untoward about saying to this country, because you are getting better and fewer trade unionists are getting murdered, we ought to give them free trade, we ought to do a free trade agreement. I hope we will stand back. If we care about justice and human rights and about the values we embody of democracy and fair play, we shouldn't be passing a trade agreement with a country where the labor environment is such that these labor union activists who believe in collective bargaining and free association, collective bargaining—such as the consensus we have in this country around collective bargaining—at least we did until some radicals in Ohio and Wisconsin tried to write and pass legislation that unwinds some of that which has helped create a

middle class. But if we believe in collective bargaining, if we believe in free association, if we believe in the right of the people to voluntarily organize and then bargain collectively, we shouldn't be passing a trade agreement with a country that has an environment where so many labor activists have been murdered.

I wish to remind my colleagues again how important this trade adjustment assistance is before we pass these trade agreements.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

NLRB

Mr. BLUMENTHAL. Thank you, Mr. President.

I rise today to voice my concerns about a great deal of controversy surrounding a complaint issued under the National Labor Relations Act against the Boeing Company. Boeing recently decided to open a new plant in South Carolina. The National Labor Relations Board's acting general counsel issued a complaint because of evidence that this decision was made in retaliation for recent strikes at the Boeing plant in the Puget Sound area.

I hope there is no dispute about a couple of points. First, Boeing is a highly reputable company that produces great products valued around the world, and great jobs. Not just jobs but good jobs. There should be no doubt also about the importance of public debate, robust criticism of government agencies, including the National Labor Relations Board, when it makes decisions that spark disagreement. I have the greatest of respect for my colleagues on both sides of the aisle who may have been critical of NLRB decisions in the past and of this action in the present. There should be no doubt also about the importance of the integrity of the NLRB process which begins with a complaint, which is all we have here against Boeing, and then has a procedure for consideration by an administrative law judge of the facts and the law, then to the full board of the NLRB, and a right of appeal to the Court of Appeals for the District of Columbia circuit.

Here, in this instance, there has been a series of attacks on the complaint and the acting general counsel that involve apparent efforts to impede or derail that process and to prejudice and even preempt that process. The effect is to politicize and potentially stop what should be a legal proceeding handled under the appropriate rules and laws and statutes by an independent government agency. This issue is about the integrity of the process.

At this point there is only a complaint against Boeing. This complaint was issued on the basis of statements and documents and actions by the company itself. There is certainly evidence, including at least one Boeing executive's statements, that the com-

pany may have retaliated against workers. The NLRB and Lafe Solomon, the acting general counsel, have not only the right but the responsibility to investigate and act where the facts and the law establish a right and obligation to do so. So no one should be trying to prejudice this case before it goes before the administrative judge, and no one should be seeking a pass from the appropriate process, and no one should be seeking to intimidate or to interfere with this lawful proceeding. I come to the floor today because of the prospect of exactly that danger occurring.

On May 12, Chairman DARRELL ISSA, representing the House Committee on Oversight and Government Reform, sent a letter to the acting general counsel of the NLRB requesting that it produce virtually all internal documents relating to this case. Indeed, the letter has a number of specific paragraphs that are sweeping in their scope, requesting, for example—demanding—that all documents and communications referring or relating to the Office of General Counsel's investigation of Boeing, including but not limited to all communications between the Office of General Counsel and the National Labor Relations Board. The House committee, with all due respect, is not a court. It is not the administrative judge. It is not a proper party to be demanding these documents in the course of a lawful judicial proceeding. The chairman's attempt to insert the committee into this case by conducting its own round of discovery at this point would interfere with the NLRB's ability to prepare and present its case before a real judicial officer.

These actions and some others are an attack on the integrity of the NLRB, an attack on its ability to make decisions and enforce the law as the Congress has instructed it and required it to do based on decisions involving the facts and the law alone. The NLRB is part of our justice system, and it should be given the opportunity to do justice in this instance. It should be given the opportunity to protect fairness and peace at the workplace, which is ultimately its mandate and its very solemn responsibility, and its tradition. Its mandate from the Congress is to protect jobs and foster economic growth by maintaining peace and fairness at the workplace. These priorities should be shared by all of the country. I certainly believe and hope that the people of Connecticut want fairness and peace in the workplace, as we do in our workplaces.

The NLRB, very simply, should be given that opportunity to do justice without improper or inappropriate interference by Members of the Congress or anyone else. My hope is that it will be vindicated and the attacks will cease, and that it will be given the opportunity to go forward lawfully and appropriately and properly.

Thank you, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.